

\*E-FILED: August 19, 2013\*

Jayni Foley Hein (Bar No. 258261)  
Sejal Choksi-Chugh (Bar No. 222093)  
SAN FRANCISCO BAYKEEPER  
785 Market Street, Suite 850  
San Francisco, California 94103  
Telephone: (415) 856-0444  
Facsimile: (415) 856-0443  
Email: jayni@baykeeper.org  
Email: sejal@baykeeper.org

Attorneys for Plaintiff  
SAN FRANCISCO BAYKEEPER

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SAN FRANCISCO BAYKEEPER, a non-  
profit corporation,

Plaintiff,

vs.

CITY OF SUNNYVALE, BAY COUNTIES  
WASTE SERVICES, Inc., and STEVENS  
CREEK QUARRY, Inc.,

Defendants.

Case No. C-13-2425-HRL

**REQUEST TO RESCHEDULE THE CASE  
MANAGEMENT CONFERENCE AND  
~~PROPOSED~~ ORDER**

Judge: Hon. Howard R. Lloyd

WHEREAS, on May 29, 2013, Plaintiff San Francisco Baykeeper filed the above-entitled complaint;

WHEREAS, Plaintiff's deadline to serve the complaint is September 26, 2013, pursuant to Fed. Rule. Civ. P. 4(m);

WHEREAS, Plaintiff has thus far refrained from serving the complaint while Plaintiff and Defendant City of Sunnyvale (collectively referred to as the "Parties") have worked together to reach a settlement agreement that would avoid the need for litigation;

WHEREAS, the Parties are continuing to engage in settlement negotiations and hope to reach a settlement within the next two months.

WHEREAS, the Initial Case Management Conference is scheduled for September 3, 2013, at

1 1:30 pm;

2 WHEREAS, the Scheduling Order states that if the Initial Case Management Conference is  
3 continued, the other deadlines are continued accordingly;

4 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the Case  
5 Management Conference for October 3, 2013, at 1:30 pm, or at such later date that is convenient for  
6 the Court, in order to give the Parties a chance to complete settlement negotiations without involving  
7 the resources of the Court;

8 WHEREAS, Plaintiff requests, upon the Court's approval, to reschedule the deadlines to file  
9 an ADR Certification and to file a Rule 26(f) Report to align with the new proposed Case  
10 Management Conference date;

11 WHEREFORE, Plaintiff respectfully requests the Court to approve and enter the Proposed  
12 Order below.

13  
14 Dated: August 13, 2013

15 Respectfully submitted,

16 SAN FRANCISCO BAYKEEPER

17 By: /s/ Sejal Choksi-Chugh  
18 Sejal Choksi-Chugh  
19 Attorney for Plaintiff  
20 SAN FRANCISCO BAYKEEPER  
21  
22  
23  
24  
25  
26  
27  
28


~~[PROPOSED]~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference set for September 3, 2013, is rescheduled for October <sup>8</sup> 8, 2013, ~~or such later date that is convenient for the Court,~~ and all associated deadlines be moved accordingly.

IT IS SO ORDERED.

NORTHERN DISTRICT COURT OF CALIFORNIA

Dated: August 19, 2013

  
\_\_\_\_\_  
United States Magistrate Judge  
HOWARD R. LLOYD